

### **REMARKS**

Claims 37-66 are pending; reconsideration is respectfully requested.

#### **Claim Objections**

*Claims 38 and 53 are objected based on the following informalities: claim 53 currently depends from claim 51. It appears that Applicant intended claim 53 to depend from independent claim 50 and the claim will be treated as such for the purposes of this action. Claim 38 currently depends from itself.*

Claim 38 has been amended to address the incorrect dependency – claim 38 now depends from claim 37.

Claim 53 is properly depending from claim 51. If the change the Examiner recommends were made then claim 53 would lack appropriate antecedent basis.

Based on the foregoing, withdrawal of the objections is respectfully requested.

#### **Claim Rejections**

***Claims 50 and 60-66 rejected under § 102(b) as allegedly being anticipated by Albsmeier WO 02/095707.*** Applicants traverse.

Claim 50 has been amended to incorporate the limitations of claim 51 (which claim was not rejected in view of Albsmeier) and the further limitation of a heat pipe.<sup>1</sup> Claims 60-66 all depend from now amended claim 50. Accordingly, these rejections are now moot and withdrawal of the rejections is respectfully requested.

***Claims 37-47 and 50-59 are rejected under § 102(e) as allegedly being anticipated by Stark US 2004/0231714.*** Applicants traverse.

Although Applicants disagree that the Stark publication anticipates or makes obvious the subject claims, submitted herewith is a Declaration Under 37 C.F.R. § 1.131 documenting that the inventors conceived of and reduced to practice, their invention, in the United States, prior to March 24, 2003, which is prior to the effective date of the Stark publication. Thus, the Stark publication is not available as prior art, and the rejections based on Stark are now moot.

***Claims 37-40, 43-53, 57-59, 60-61 and 64 are rejected under § 102(e) as allegedly being anticipated by Luo US 2004/0094192.*** Applicants traverse.

Although Applicants disagree that the Luo publication anticipates or makes obvious the subject claims, submitted herewith is a Declaration Under 37 C.F.R. § 1.131 documenting that the inventors conceived of and reduced to practice, their invention, in the United States, prior to March 24, 2003, which

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<sup>1</sup> Support for the amendment is discussed below at the section titled Claim Amendments Support.

is prior to the effective date of the Luo publication. Thus, the Luo publication is not available as prior art, and the rejections based on Luo are now moot.

#### **Claim Amendments Support**

Claims 50, 51 and 57 are amended to recite heat pipes and working fluids therein. Support for these amendments can be found in the specification page 23, line 26 through page 30, line 2 and Figs. 15 and 19.

Claims 52 and 53 are amended to provide positively limit the scope of the independent claim from which they depend. Support for the amendments is self evident.

Claim 37 – support for these amendments can be found in the present application at page 5, lines 8-12, page 6, lines 8-16, page 10, lines 7-13, page 10, line 25 through page 11, line 17, page 11, line 18, page 12, lines 20-23, and Figs. 2a, 3, and 5-8.

Claim 38 – support for this amendment can be found in the present application at page 6, lines 4-7 and page 11, lines 19-25.

Claim 39 – support for this amendment can be found in the present application at page 11, lines 23-27.


#### **Request for Interview**

If any issues remain, the Examiner is hereby formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
Lisa M. Caldwell  
Registration No. 41,653

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 595-5301